

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

OSVALDO CALDERIN,

Defendant.

Case No. 92-cr-40062-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on defendant Osvaldo Calderin's motion to terminate his five-year term of supervised release early (Doc. 355). It appears Calderin was released from federal custody in July 2008. He now asks the Court to use its discretion under 18 U.S.C. § 3583(e) to terminate immediately his remaining term of supervised release because he has complied with all the requirements of his release so far. Section 3583(e) allows the Court, after considering select factors listed in 18 U.S.C. § 3553(a), to terminate a defendant's supervised release if termination is warranted by the defendant's conduct and the interest of justice.

Termination of Calderin's supervised is not warranted at this time. Calderin's crime was a serious drug crime involving more than 17 kilograms of cocaine, and he obstructed justice by testifying falsely at trial. A substantial term of supervised release is needed to deter future conduct and to protect the public. In addition, his term of supervised release is similar to that of others who have been found guilty of similar crimes. Good behavior for sixteen months, while commendable, is not alone a reason for immediate termination of the remainder of Calderin's supervised release term. For these reasons, the Court **DENIES** Calderin's motion for early termination of supervised release (Doc. 355).

**IT IS SO ORDERED.**

**DATED: November 12, 2009**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**